



207.16-03

913653
Docket No. 60,152-942

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Broich, et al.
Serial Number: 10/037,068 Group Art Unit: 3653
Filed: November 7, 2001 Examiner: Shapiro, Jeffery A.
Title: SUPPLY SYSTEM AND METHOD FOR OPERATION
Attorney Docket No.: 60,152-942

7/22/03

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

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GROUP 3600

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Election Restriction Requirement received from the U.S. Patent and Trademark Office mailed June 18, 2003, Applicant responds as follows:

REMARKS

The Examiner indicated the following restriction is required under 35 U.S.C. §121:

- I. Claims 32-38 and 40-55, drawn to a mobile sorting module, classified in Class 198, subclass 380.
- II. Claim 39, drawn to a programmable controller for a sorting module, classified in Class 700, subclass 223.

Applicant hereby traverses the Examiner's restriction requirement for Claim 39. Applicant believes Claim 39 merely recites additional limitations to the "mobile installation platform" recited in Claim 38. Specifically, Claim 39 recites further limitations for the "electrical control cupboard" recited in Claim 38. Therefore, Applicant respectfully submits Claim 39 should be included with the invention set forth in Group I.

However, to comply with requirements set forth in 37 CFR 1.143, Applicant elects to prosecute Claims 32-38 and 40-55 as set forth in Group I by the Examiner.

Although it is believed that no fee is due for the filing of this Response, the Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayments regarding this Response.

Respectfully submitted,

HOWARD & HOWARD ATTORNEYS, P.C.

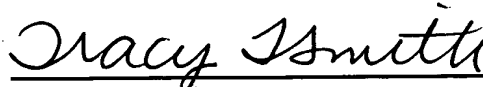


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Dated: July 15, 2003

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the enclosed **Response** is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope as "Express Mail Post Office to Addressee," Mailing Label No. **EV318930937US** and addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **July 15, 2003**.



Tracy L. Smith